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FM AMEMBASSY OSLO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7036
INFO RUEHXP/ALL NATO POST COLLECTIVE IMMEDIATE
RUEHHE/AMEMBASSY HELSINKI IMMEDIATE 8017
RUEHMO/AMEMBASSY MOSCOW IMMEDIATE 4020
RUEHSM/AMEMBASSY STOCKHOLM IMMEDIATE 3317
RHMFISS/SECNAV WASHINGTON DC IMMEDIATE
RUEHNO/USMISSION USNATO IMMEDIATE 1528
RUEKJCS/SECDEF WASHINGTON DC IMMEDIATE
RHEFDIA/DIA WASHINGTON DC IMMEDIATE

C O N F I D E N T I A L OSLO 000500

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E.O. 12958: DECL: 09/05/2018
TAGS: [NATO](#) [PBTS](#) [PREL](#) [NO](#)
SUBJECT: NORWAY CLAIM NATO ARTICLE FIVE PROTECTION FOR
SVALBARD

REF: OSLO 489

Classified By: Deputy Chief of Mission Kevin M. Johnson
for reasons 1.4 b and d

11. (U) In remarks September 4 at a conference on the High North, Norway's Foreign Minister Jonas Gahr Stoere stated categorically that Svalbard was part of Norway and that NATO's Article Five protections applied to Svalbard. This is not a new statement of Norway's interpretation of the Svalbard treaty but it is notable, after the events in Georgia, how forcefully FM Stoere emphasized Norwegian sovereignty and the applicability of Article Five. The Russian Ambassador was in the audience. GON officials are increasingly concerned with raising allied awareness of the High North and will continue to stress vulnerabilities in the North in NATO meetings (see reftel).

12. (U) The Svalbard Treaty does grant Norway "full and absolute sovereignty" over Svalbard. However it also grants signatories "equal liberty of access and entry for any reason or object whatever to the waters, fjords and ports of the territories." The treaty specifies that Norway is not allowed to establish any naval base or to construct fortifications and states that the territories "may never be used for warlike purposes." These clauses significantly impact the declaration of full sovereignty and have resulted in varying national interpretations of the treaty, particularly on fishing rights.

13. (C) Comment: Regardless of legal interpretations, it is a positive that the GON is stressing NATO's significance. GON officials stress the continued relevance of Article Five and the need for NATO to refocus on reassuring its members on this point. With Russia's recent statement of intent (and actions) to defend its citizens and interests abroad by whatever means, ambiguities in interpretation of the Svalbard treaty take on new significance. The Department may wish to consider: first, our legal view of Norway's position on NATO and Svalbard; and second, ways to exploit Norway's stake politically (whatever our legal analysis) to make the point that, as GON indicates, NATO will stand firm in the North.
End Comment
WHITNEY